

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:  
*CITIBANK, N.A.*  
LETTER ROGATORY FORM THE 2<sup>nd</sup>  
FAMILY AND PROBATE COURT OF THE  
CENTRAL CIVIL COURTHOUSE,  
FEDERATIVE REPUBLIC OF BRAZIL

Civil Case No. 15-2336

Letter Rogatory

**PETITION FOR ASSISTANCE TO FOREIGN TRIBUNAL**

COMES NOW Assistant United States Attorney Agnes I. Cordero, and herein requests assistance to the 2<sup>nd</sup> Family and Probate Court of the Central Civil Courthouse, Federative Republic of Brazil:

1. I am an Assistant United States Attorney in the Office of Rosa Emilia Rodríguez Vélez, United States Attorney for the District of Puerto Rico, counsel for the United States of America [hereinafter *the Government or the United States*]. I make this declaration upon information and belief based upon the attached exhibits and communications with personnel in the United States Department of Justice, to which a Letter Rogatory has been transmitted for execution. I make this declaration in support of the Government's request, pursuant to 28 U.S.C. § 1782(a)<sup>1</sup>, for an order appointing the undersigned as Commissioner for the purpose of obtaining financial information from *Citibank, N.A.*

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<sup>1</sup> "28 U.S.C. § 1782(a) **Assistance to foreign and international tribunals and to litigants before such tribunals**  
The district court of the district in which a person resides or is found may order him to give his testimony or statement or to produce a document or other thing for use in a proceeding in a foreign or international tribunal, including criminal investigations conducted before formal accusation. The order may be made pursuant to a letter rogatory issued, or request made, by a foreign or international tribunal or upon the application of any interested person and may direct that the testimony or statement be given, or the document or other thing be produced, before a person appointed by the court. By virtue of his appointment, the person appointed has power to administer any necessary oath and take the testimony or statement. The order may prescribe the practice and procedure, which may be in whole or part the practice and procedure of the foreign country or the international tribunal, for taking the testimony or statement or producing the document or other thing. To the extent that the order does not prescribe otherwise, the testimony or statement shall be taken, and the document or other thing produced, in accordance with the Federal Rules of Civil Procedure.

2. This Petition is in connection with a contested divorce case captioned “**Vera Misura Nastari v. José Carlos Nastari**,” Case No. 0601573-40.2008.8.26.0100, before the 2<sup>nd</sup> Family and Probate Court of the Central Civil Courthouse, Federative Republic of Brazil [hereinafter *Brazil Court*] that issued a Letter Rogatory seeking financial information from Citibank, N.A. as to its client José Carlos Nastari. A true and correct copy of the Letter Rogatory is attached hereto as **Exhibit 1** in Portuguese and as **Exhibit 2** as the verified English translation.<sup>2</sup>

3. The specific information requested by the Brazil Court is reflected in the Letter Rogatory with its Exhibits to be served upon the Director/Manager and/or Representative of Citibank N.A., which the United States intends to serve after the undersigned’s appointment as Commissioner.

4. In order to assist the Brazil Court in obtaining the requested information, I respectfully request that this Court enter the attached proposed order appointing the undersigned as Commissioner. No previous application for relief sought herein has been made.

**I DECLARE** under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct. Executed in San Juan, Puerto Rico, this 25<sup>th</sup> day of September 2015.

s/ *Agnes I. Cordero*

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AGNES I. CORDERO, ESQ.  
Assistant U.S. Attorney

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A person may not be compelled to give his testimony or statement or to produce a document or other thing in violation of any legally applicable privilege.”

<sup>2</sup> The Exhibits will be separately filed *Ex-Parte* due to the sensitive financial and identification information they contain.

**WHEREFORE**, the United States respectfully prays this Honorable Court to appoint the herein appearing Assistant U.S. Attorney as Commissioner in this action.

In San Juan, Puerto Rico, this 25<sup>th</sup> day of September 2015.

ROSA EMILIA RODRIGUEZ VELEZ  
United States Attorney

s/ *Agnes I. Cordero*

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